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Application No.: 10/626,499

Filing Date: July 24, 2003

First Inventor: Manne Satyanarayana REDDY

Art Unit: 1625

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Request for Reconsideration (5 pages)

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Manne Satyanarayana REDDY et al.

Art Unit: 1625

Application No.: 10/626,499

Examiner: C. C. Chang

Filed: July 24, 2003

For: PROCESS FOR PREPARATION OF DONEPEZIL

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22131-1450

Sir:

REQUEST FOR RECONSIDERATION

In response to the Office Action that was mailed on November 9, 2005 for the subject application, reconsideration of the final rejections of the pending claims in view of the following discussion is respectfully requested.

Rejection Under 35 U.S.C. § 102(e)

Claims 1, 2, 4-6, and 8-12 were finally rejected as being anticipated by U.S. Patent 6,649,765 to Vidyadhar et al. This patent teaches a process for preparing donepezil hydrochloride, including the step of hydrogenating 5,6-Dimethoxy-2-(pyridin-4-yl)methylene indan-1-one using a noble metal oxide catalyst. The disclosed useful catalysts are oxides of platinum or palladium.

The cited patent does not meet the legal requirement for anticipation of the rejected claims, as it does not disclose all of the limitations of the claims. The claims all require hydrogenation using a catalyst that is palladium metal on a support carrier. See M.P.E.P. § 2131, quoting *Verdegaal Bros. v. Union Oil Co. of California*, 814 F2d. 628, 631 (Fed. Cir. 1987): "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference."